

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREA WOOD,  
Plaintiff,

v.

COUNTY OF CONTRA COSTA, et al.,  
Defendants.

Case No. 21-cv-00611-MMC

**ORDER DISMISSING PLAINTIFF  
ANDREA WOOD'S CLAIMS AGAINST  
REMAINING DEFENDANTS;  
DIRECTIONS TO CLERK**

By order filed May 17, 2021 ("May 17 Order"), the Court directed plaintiff Andrea Wood to show cause, in writing and no later than June 11, 2021, why her claims against the remaining eleven defendants, specifically, the County of Contra Costa, Cecilia Gutierrez, Patricia Lowe, Erica Bains, Ravi Bains, Judith Lawrence, Araceli Ramierez, Precious Nichols, the Honorable Barbara Hinton, Sheriff David O. Livingston, and the State of California, should not be dismissed for failure to serve a summons and complaint on those defendants within the time provided by Rule 4(m) of the Federal Rules of Civil Procedure.

In apparent response thereto, plaintiff filed, on June 8, 2021, a form titled "Proof of Service – Civil," completed by an individual named Anjali Ward, who avers that, on January 29, 2021, copies of plaintiff's amended complaint were mailed to ten of the remaining eleven defendants, and, as to four of those ten defendants, a copy of the amended complaint was emailed as well.<sup>1</sup> Such attempted service, however, is deficient,

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<sup>1</sup> Anjali Ward does not state the amended complaint was mailed or emailed to the State of California.

1 as there is no evidence that any of the defendants was served with a summons, see Fed.  
2 R. Civ. P 4(c)(1), a requirement called to plaintiff's attention in the Court's May 17 Order,  
3 nor is there anything in the federal rules authorizing service of either a summons or  
4 complaint by merely mailing and/or emailing such documents. Consequently, plaintiff has  
5 failed to show she has timely served any of the remaining defendants.


6 Plaintiff has not argued, let alone shown, good cause exists to extend the deadline  
7 to serve any of the remaining defendants, and, to the extent the Court has discretion to  
8 grant such further relief in the absence of good cause, the Court declines to do so in this  
9 instance.

10 Accordingly, plaintiff's claims against the remaining defendants are hereby  
11 DISMISSED without prejudice, pursuant to Rule 4(m).

12 The Clerk is hereby DIRECTED to close the file.

13 **IT IS SO ORDERED.**

14  
15 Dated: June 21, 2021

  
MAXINE M. CHESNEY  
United States District Judge